

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK (POUGHKEEPSIE)

-----X

In re:

MONIKA SZULC – FABIJANOWSKI,  
MAREK FABIJANOWSKI,  
Debtors.

Chapter 7

Case No.: 17-37040-CGM

-----X

**ORDER PURSUANT TO RULE 2004 OF THE FEDERAL RULES OF BANKRUPTCY  
PROCEDURE DIRECTING THE PRODUCTION OF DOCUMENTS BY, AND THE  
ORAL EXAMINATION OF, MONIKA SZULC-FABIJANOWSKI AND MAREK  
FABIJANOWSKI**

Upon the application (the “Application”) of Piotr Jozwicki (“Jozwicki”) and Michal Skrzeczkowski (“Skrzeczkowski”), creditors of the bankrupt debtors herein (collectively “Creditors”), by their counsel, Marzec Law Firm, P.C. (“Marzec Law Firm”), seeking an entry of an Order, pursuant to Section 105(a) of Title 11 of the United States Code (the “Bankruptcy Code”) and Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), directing the oral examination of, and production of certain records, documents, and electronic files that are in possession, custody or control of Monika Szulc-Fabijanowski (“Ms. Fabijanowski”) and Marek Fabijanowski (“Mr. Fabijanowski”) (collectively “Debtors”); and good and sufficient cause appearing therefore; and no additional or further notice being required, it is hereby

**ORDERED**, that, under Bankruptcy Rule 2004, the Application is approved as set forth in this Order; and, it is further

**ORDERED**, that pursuant to Bankruptcy Rule 9016, the attorneys of Marzec Law Firm, P.C., as officers of the Court, are authorized and directed to issue a subpoena and document request (the “Subpoena”) authorizing and directing the examination of Monika Szulc-Fabijanowski and Marek Fabijanowski, and directing the production of documents as set forth in this Order in accordance with Rule 45 of the Federal Rules of Civil Procedure; and, it is further

**ORDERED**, that Monika Szulc-Fabijanowski and Marek Fabijanowski are directed to appear at an examination, under oath, under Bankruptcy Rule 2004 and in accordance with the Subpoena to be duly served pursuant to this Order; and, it is further

**ORDERED**, that Monika Szulc-Fabijanowski is directed to produce for examination and inspection, on not less than twenty (20) days' notice, to Marzec Law Firm, P.C., 776A Manhattan Avenue, Suite 104, Brooklyn, NY 11222, all documents and electronic files listed on **Exhibit A** that are in Monika Szulc-Fabijanowski's possession, custody or control.

**ORDERED**, that Marek Fabijanowski is directed to produce for examination and inspection, on not less than twenty (20) days' notice, to Marzec Law Firm, P.C., 776A Manhattan Avenue, Suite 104, Brooklyn, NY 11222, all documents and electronic files listed on **Exhibit B** that are in Marek Fabijanowski's possession, custody or control.

**ORDERED**, that twenty (20) days' notice for the production of documents shall be deemed good and sufficient notice for the production of documents; and, it is further

**ORDERED** that Monika Szulc-Fabijanowski be examined under Rule 2004, on a date no less than five (5) days after service of this Order and the annexed subpoena, on a business day selected by Darius A. Marzec, Esq., or as otherwise agreed, on 10:00 a.m. on that day, at the offices of Marzec Law Firm, P.C., 776A Manhattan Avenue, Suite 104, Brooklyn, NY 11222, with respect to the conduct, acts, and property of the Debtor, as identified in the proposed subpoena annexed hereto, and it is further

**ORDERED** that Marek Fabijanowski be examined under Rule 2004, on a date no less than five (5) days after service of this Order and the annexed subpoena, on a business day selected by Darius A. Marzec, Esq., or as otherwise agreed, on 10:00 a.m. on that day, at the offices of Marzec Law Firm, P.C., 776A Manhattan Avenue, Suite 104, Brooklyn, NY 11222, with respect to the

conduct, acts, and property of the Debtor, as identified in the proposed subpoena annexed hereto, and it is further

**ORDERED**, that service of a copy of this Order and a subpoena by first class mail upon Monika Szulc-Fabijanowski, c/o Andrew M. Tilem, Esq. at 228 Montrose Avenue, Brooklyn, NY 11206 and Marek Fabijanowski, c/o Andrew M. Tilem, Esq. at 228 Montrose Avenue, Brooklyn, NY 11206 at least thirty (30) days prior to the date set for the deposition be deemed good and sufficient notice and service of this Order and the subpoena; and, it is further

**ORDERED**, that the examination shall continue from day to day until it is completed.

**Dated: May 8, 2018**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

---

**Hon. Cecelia G. Morris**  
**Chief U.S. Bankruptcy Judge**